
HOUSE BILL 1956

State of Washington

54th Legislature

1995 Regular Session

By Representatives Hargrove, Campbell, Koster, Mulliken, Fuhrman, Pelesky, Thompson, Casada, Benton, Smith, Van Luven, Goldsmith, McMahan and Elliot

Read first time 02/17/95. Referred to Committee on Government Operations.

1 AN ACT Relating to special elections; and amending RCW 29.13.010
2 and 29.13.020.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 29.13.010 and 1994 c 142 s 1 are each amended to read
5 as follows:

6 (1) All state, county, city, town, and district general elections
7 for the election of federal, state, legislative, judicial, county,
8 city, town, district, and precinct officers, and for the submission to
9 the voters of the state, county, city, town, or district of any measure
10 for their adoption and approval or rejection, shall be held on the
11 first Tuesday after the first Monday of November, in the year in which
12 they may be called. A state-wide general election shall be held on the
13 first Tuesday after the first Monday of November of each year:
14 PROVIDED, That the state-wide general election held in odd-numbered
15 years shall be limited to (a) city, town, and district general
16 elections as provided for in RCW 29.13.020, or as otherwise provided by
17 law; (b) the election of federal officers for the remainder of any
18 unexpired terms in the membership of either branch of the congress of
19 the United States; (c) the election of state and county officers for

1 the remainder of any unexpired terms of offices created by or whose
2 duties are described in Article II, section 15, Article III, sections
3 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3 and 5 of the
4 state Constitution and RCW 2.06.080; (d) the election of county
5 officers in any county governed by a charter containing provisions
6 calling for general county elections at this time; and (e) the approval
7 or rejection of state measures, including proposed constitutional
8 amendments, matters pertaining to any proposed constitutional
9 convention, initiative measures and referendum measures proposed by the
10 electorate, referendum bills, and any other matter provided by the
11 legislature for submission to the electorate.

12 (2) A county legislative authority may, if it deems an emergency to
13 exist, call a special county election to be held on the first Tuesday
14 after the first Monday in November by presenting a resolution to the
15 county auditor at least forty-five days prior to the proposed election
16 date. ~~((Except as provided in subsection (4) of this section, a~~
17 ~~special election called by the county legislative authority shall be~~
18 ~~held on one of the following dates as decided by such governing body:~~

- 19 (a) ~~The first Tuesday after the first Monday in February;~~
20 (b) ~~The second Tuesday in March;~~
21 (c) ~~The fourth Tuesday in April;~~
22 (d) ~~The third Tuesday in May;~~
23 (e) ~~The day of the primary as specified by RCW 29.13.070; or~~
24 (f) ~~The first Tuesday after the first Monday in November.))~~

25 (3) In addition to the ~~((dates))~~ date set forth in subsection (2)
26 ~~((a) through (f))~~ of this section, a special election to validate an
27 excess levy or bond issue may be called at any time to meet the needs
28 resulting from fire, flood, earthquake, or other act of God. Such
29 county special election shall be noticed and conducted in the manner
30 provided by law.

31 (4) In a presidential election year, if a presidential preference
32 primary is conducted in February, March, April, or May under chapter
33 29.19 RCW, the date on which a special election may be called by the
34 county legislative authority under subsection (2) of this section
35 during the month of that primary is the date of the presidential
36 primary.

37 (5) This section shall supersede the provisions of any and all
38 other statutes, whether general or special in nature, having different
39 dates for such city, town, and district elections, the purpose of this

1 section being to establish mandatory dates for holding elections except
2 for those elections held pursuant to a home-rule charter adopted under
3 Article XI, section 4 of the state Constitution. This section shall
4 not be construed as fixing the time for holding primary elections, or
5 elections for the recall of any elective public officer.

6 **Sec. 2.** RCW 29.13.020 and 1994 c 142 s 2 are each amended to read
7 as follows:

8 (1) All city, town, and district general elections shall be held
9 throughout the state of Washington on the first Tuesday following the
10 first Monday in November in the odd-numbered years.

11 This section shall not apply to:

12 (a) Elections for the recall of any elective public officer;

13 (b) Public utility districts or district elections at which the
14 ownership of property within those districts is a prerequisite to
15 voting, all of which elections shall be held at the times prescribed in
16 the laws specifically applicable thereto;

17 (c) Consolidation proposals as provided for in RCW 28A.315.280 and
18 nonhigh capital fund aid proposals as provided for in chapter 28A.540
19 RCW.

20 (2) The county auditor, as ex officio supervisor of elections, upon
21 request in the form of a resolution of the governing body of a city,
22 town, or district, presented to the auditor at least forty-five days
23 prior to the proposed election date, may, if the county auditor deems
24 an emergency to exist, call a special election (~~((in such city, town, or
25 district, and for the purpose of such special election he or she may
26 combine, unite, or divide precincts. Except as provided in subsection
27 (3) of this section, such a special election shall be held on one of
28 the following dates as decided by the governing body:~~

29 ~~(a) The first Tuesday after the first Monday in February;~~

30 ~~(b) The second Tuesday in March;~~

31 ~~(c) The first Tuesday after the first Monday in April;~~

32 ~~(d) The third Tuesday in May;~~

33 ~~(e) The day of the primary election as specified by RCW 29.13.070;~~

34 or

35 ~~(f))~~ on the first Tuesday after the first Monday in November.

36 (3) In a presidential election year, if a presidential preference
37 primary is conducted in February, March, April, or May under chapter
38 29.19 RCW, the date on which a special election may be called under

1 subsection (2) of this section during the month of that primary is the
2 date of the presidential primary.

3 (4) In addition to subsection (2) (~~((a) through (f))~~) of this
4 section, a special election to validate an excess levy or bond issue
5 may be called at any time to meet the needs resulting from failure of
6 a school or junior taxing district to pass a special levy or bond issue
7 for the first time or from fire, flood, earthquake, or other act of
8 God, except that no special election may be held between the first day
9 for candidates to file for public office and the last day to certify
10 the returns of the general election (~~(other than as provided in~~
11 ~~subsection (2) (e) and (f) of this section)~~). Such special election
12 shall be conducted and notice thereof given in the manner provided by
13 law.

14 (5) This section shall supersede the provisions of any and all
15 other statutes, whether general or special in nature, having different
16 dates for such city, town, and district elections, the purpose of this
17 section being to establish mandatory dates for holding elections.

--- END ---